

REMARKS

Claims 1-60 are pending in the present application. In summary of the outstanding Office Action, the specification is objected to for informalities. Claims 6, 28, 47 stand rejected under 35 USC § 112 as being allegedly indefinite. Claims 1-6, 12-13, 18-28, 34-35, 40-47, 53-54 and 59-60 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,878,432 (Misheski). Claims 7-11, 14-17, 29-33, 36-39, 48-52 and 55-58 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Misheski in view of one or more of the following: U.S. Patent No. 6,622,302 B1 (Delaney) and U.S. Patent No. 5,805,899 (Evans).

Reconsideration of the outstanding objections and rejections to the claims and drawings is respectfully requested in view of the present amendments and following remarks.

Objections to the Specification

The specification was objected to for not properly identifying trademarks JAVA, VISUAL BASIC and PASCAL used in the specification. Amendments to the specification are provided herewith that address this objection. Thus, withdrawal of this objection is earnestly solicited.

Rejections under 35 USC § 112

Claims 6, 28, 47 stand rejected under 35 USC § 112 as being allegedly indefinite for improper use of trademarks and trade names in these claims. According to the MPEP 2173.05(u) "The presence of a trademark or trade name in a claim is not, per se, improper under 35 U.S.C. 112, second paragraph, but the claim should be carefully analyzed to determine how the mark or name is used in the claim. It is important to recognize that a trademark or trade name is used to identify a source of goods, and not the goods themselves."

In view of the above, Claims 6, 28 and 47 have been amended to use the trademarks and alleged trade names in the proper manner by using them to identify the source of goods, and not

the goods themselves. Therefore, withdrawal of the rejections under 35 U.S.C. § 112 for claims 6, 28 and 47 is earnestly solicited.

Rejections under 35 USC § 102(b)

Claims 1-6, 12-13, 18-28, 34-35, 40-47, 53-54 and 59-60 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Misheski.

With respect to claim 1, the Office Action contends that Misheski teaches “specifying programmer intent with regard to versioning of said at least one software component by assigning at least one keyword to said at least one software component.” The Office Action is supporting this contention by stating Misheski uses extensible classes which can be modified or customized by the programmer to implement a source code repository environment. However, no mention is made of assigning a keyword. Applicants respectfully submit that using extensible classes is not the same as assigning a keyword to a software component. Thus, for the reasons above and others, Applicants submit that all the limitations of claim 1 are not taught or suggested by Misheski.

Regarding claims 2-6, 12-13, 18-28, 34-35, 40-47, 53-54 and 59-60, they either depend directly or indirectly from claim 1, and thus include all of the limitations of claim 1, or were rejected for the same reasons as claim 1. Therefore, Applicants respectfully submit that all the limitations of claims 2-6, 12-13, 18-28, 34-35, 40-47, 53-54 and 59-60 are not taught or suggested by Misheski for the same reasons presented above.

Therefore, withdrawal of the rejections under 35 U.S.C. § 102 for claims 2-6, 12-13, 18-28, 34-35, 40-47, 53-54 and 59-60 is earnestly solicited.

Rejections under 35 USC § 103(a)

Claims 7-11, 14-17, 29-33, 36-39, 48-52 and 55-58 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Misheski in view of one or more of the following: Delaney and Evans.

Claims 7-11, 14-17, 29-33, 36-39, 48-52 and 55-58, either depend directly or indirectly from claim 1, and thus include all of the limitations of claim 1, or were rejected for the same reasons as claim 1. Therefore, Applicants respectfully submit that all the limitations of claims 7-11, 14-17, 29-33, 36-39, 48-52 and 55-58 are not taught or suggested by Misheski, Delaney, Evans or any combination thereof, for the same reasons presented above for claim 1.

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” MPEP § 2142. Since all the limitations of claims 7-11, 14-17, 29-33, 36-39, 48-52 and 55-58 are not taught or suggested by Misheski, Delaney, Evans or any combination thereof, for the reasons presented above, withdrawal of the rejections under 35 U.S.C. § 103(a) for claims 7-11, 14-17, 29-33, 36-39, 48-52 and 55-58 is earnestly solicited.

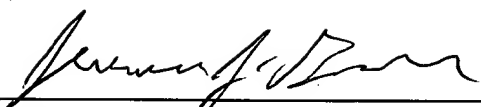
CONCLUSION

Applicants believe that the present reply is responsive to each point raised by the Examiner in the Office Action and Applicant submits that claims 1-60 of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited. Also, Applicants respectfully request Examiner acknowledge the drawings as formal. **However, should the Examiner find the claims as presented herein to not be allowable for any reason, Applicants' undersigned representative *earnestly* requests a telephone conference at (206) 332-1392 with both the Examiner and the Examiner's Supervisor to discuss the basis for the Examiner's continued rejection in light of the Applicant's arguments presented herein.** Likewise, should the Examiner have any questions, comments, or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative would very much appreciate a telephone conference to discuss these issues.

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